

# ORIGINAL

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF GEORGIA U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION  
DUBLIN DIVISION  
FILED IN OFFICE

8:30 A.M.

OCT 25 2011

Deputy Clerk

BUSTER O'NEAL, JR.,

Plaintiff,

v.

HAYWOOD WILLIAMS, et al.,

Defendants.

CV 311-085

## ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed (doc. no. 6). Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's motion to proceed *in forma pauperis* is **DENIED** (doc. no. 3), Plaintiff's motion to appoint counsel is **DENIED** (doc. no. 2), and this action is **DISMISSED** without prejudice. If Plaintiff wishes to proceed with the claims raised in this lawsuit, he must submit a new complaint, along with the full filing fee. Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002) (*per curiam*).

SO ORDERED this 25<sup>th</sup> day of October, 2011, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE